

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

(1) AUSTIN BOND, as Special)	
Administrator for the Estate of)	
ANGELA YOST, Deceased,)	
)	
Plaintiff,)	
)	
v.)	Case No. CIV-20-00545-TCK-SH
)	
(1) SHERIFF OF OTTAWA COUNTY,)	
in his Official Capacity,)	
(2) TURN KEY HEALTH CLINICS, LLC,)	
(3) SUSAN BLALOCK, L.P.N., and)	
(4) JOSEPHINE OTOO, A.P.R.N.,)	
)	
Defendants.)	

**DEFENDANT SHERIFF OF OTTAWA COUNTY, IN HIS
OFFICIAL CAPACITY'S, UNOPPOSED MOTION TO DEPOSE
SHAWNEE YOST, AN INMATE CURRENTLY IN THE
CONTROL OF THE FEDERAL BUREAU OF PRISONS**

Defendant Sheriff of Ottawa County, in his official capacity, by and through counsel of record, respectfully moves this Court, pursuant to Rule 30(a)(2) of the Federal Rule of Civil Procedure, for an order allowing him or another party to take the deposition of an individual currently incarcerated within the custody of the Federal Bureau of Prisons. In support of said Motion, Defendant Sheriff would show the Court as follows:

1. Shawnee Yost, daughter of decedent Angela Yost, has been identified as a potential witness in this action.
2. Shawnee Yost was recently sentenced in federal district court to a term of imprisonment within the jurisdiction of the Federal Bureau of Prisons.

3. It is believed Shawnee Yost is currently being housed at the Tulsa, Oklahoma County Jail awaiting transfer to an unnamed correctional facility within the Federal Bureau of Prisons.

4. Federal Rule of Civil Procedure 30(a)(2) requires that a party must obtain leave of court to depose a person if the deponent is confined in a prison.

5. Plaintiff has filed a civil rights Complaint alleging that the named Defendants violated decedent Angela Yost's civil rights while she was incarcerated at the Ottawa County Jail.

6. The Court has entered a Scheduling Order setting deadlines including a discovery deadline.

7. The undersigned counsel believes that in order to appropriately and fully address the allegations in the Complaint, it may be necessary to take the deposition of this incarcerated witness to ascertain her specific knowledge in relation to the allegations, evidence of any facts and circumstances supporting those allegations, and any potential damages.

8. Defendant Sheriff requests the Court grant permission to depose Ms. Yost, should he or another party deem it necessary. This request seeks permission to depose Ms. Yost at whichever correctional facility or jail she may be residing at the time of the deposition.

9. It is the intent of Defendant Sheriff and the parties to take any deposition at Ms. Yost's site of incarceration but such deposition may be conducted remotely, as necessitated by circumstances or in compliance with the rules of the appropriate jail or correctional facility. The deposition will be conducted upon appropriate notice at a time convenient to counsel for the multiple parties and the jail facility.

10. Undersigned counsel has conferred with counsel for Plaintiff and Co-Defendants who have advised they have no objection to this Motion.

WHEREFORE, for premises considered, Defendant Sheriff of Ottawa County, in his official capacity, respectfully requests this Court enter an order allowing the deposition of Shawnee Yost at the appropriate jail or prison facility or remotely, as may be required or determined by the parties, at a time to be determined by counsel for the parties. A proposed Order is being submitted with this Motion.

Respectfully submitted,

s/ Wellon B. Poe

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ATTORNEYS FOR DEFENDANT
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official capacity

CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2022, I electronically transmitted this filing to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to the following ECF registrants:

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s/ Wellon B. Poe

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